

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BARBARA STUART ROBINSON,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

Case No. 3:24-cv-05129-TMC

ORDER ADOPTING REPORT AND  
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Grady J. Leupold, United States Magistrate Judge. Dkt. 15. The Court, having considered the Report and Recommendation, Plaintiff Barbara Stuart Robinson's objections (Dkt. 17), and the remaining record, does hereby find and ORDER as follows:

(1) The Court adopts the Report and Recommendation.

- a. The Court has conducted de novo review of the Report and Recommendation based on Ms. Robinson's objections. Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).
- b. In her objections, Ms. Robinson reiterates her contention that the State of Washington discriminated against African Americans by creating a

commission on Hispanic affairs. Dkt. 17 at 1–2. The Court agrees with the Report and Recommendation that Ms. Robinson has not alleged sufficient facts to make out a claim that she has been discriminated against based on her race.

c. Ms. Robinson does not address the portion of the Report and Recommendation explaining that the State of Washington, which is the only Defendant in this case, cannot be sued under 42 U.S.C. § 1983 because of its sovereign immunity under the Eleventh Amendment. This is an independent reason for adopting the Report and Recommendation.

(2) Plaintiff's Motions to Proceed *In Forma Pauperis* (Dkts. 1, 7) are DENIED,

Plaintiff's Motion for Leave to Appeal *In Forma Pauperis* (Dkt. 8) is DENIED, and the case is CLOSED.

(3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. Grady J. Leupold.

Dated this 6th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Tiffany M. Cartwright', is written over a solid horizontal line.

Tiffany M. Cartwright  
United States District Judge